

REMARKS

Claims 1-8 and 10-17 are pending in the above-identified application. Claims 19-28 are withdrawn from consideration as being directed to non-elected inventions. In the Office Action dated July 5, 2006, the Examiner made the following disposition:

- A.) Rejected claims 1-3, 8-12[sic], and 17 under 35 U.S.C. §102(e) as allegedly being anticipated by *Carey, et al.*
- B.) Rejected claims 4-7 and 13-16 under 35 U.S.C. §103(a) as allegedly being unpatentable over *Carey, et al.*

Applicant respectfully traverses the rejections and addresses the Examiner's disposition below. In the Office Action Summary, the Examiner checked Box 9 indicating that the specification is objected to, however, the Examiner has not identified why the specification is objected to. Applicant submits that Box 9 was checked in error.

Claims 1 and 10 have been amended as discussed below. Claims 4, 8, 13 ,and 17 have been amended to correct informalities to reflect the changes to claims 1 and 10. Claims 5, 7, 14, and 16 have been canceled.

A.) Rejection of claims 1-3, 8-12[sic], and 17 under 35 U.S.C. §102(e) as allegedly being anticipated by *Carey, et al.*:

Applicant respectfully disagrees with the rejection.

Applicant respectfully notes the Examiner mistakenly rejected claim 9, which has been canceled.

Referring to Applicant's Figure 1 as an illustrative example, claims 1 and 10, each as amended, each claim subject matter relating to a magnetoresistance-effect element comprising a substrate 2, a primary-coat layer 3 formed directly on a surface of the substrate 2, an anti-ferromagnetic layer 4 formed directly on a surface of the primary-coat layer 3 that is opposite the substrate 2, a multilayer pinned layer 13 formed directly on a surface of the anti-ferromagnetic layer 4 that is opposite the primary-coat layer 3, a nonmagnetic metal layer 8 formed directly on a surface of the multilayer pinned layer 13 that is opposite the anti-ferromagnetic layer 4, a magnetism-sensing section 9 the electric resistance of which changes in accordance with an external magnetic field formed directly on a surface of the nonmagnetic metal layer 8 that is opposite the multilayer pinned layer 13, a low-resistance metal layer 10 formed directly on a surface of the magnetism-sensing section 9 that is opposite the nonmagnetic metal layer 8, an oxide layer 11 provided on that surface of the low-resistance metal layer 10 which faces away from the magnetism-sensing section 9, and a non-magnetic protective layer 12 provided on that surface of the oxide layer 11 which faces away from the low-resistance metal layer 10. A total thickness of the low-resistance metal layer 10 and oxide layer ranges 11 from 0.5 nm to 1.5 nm.

This is clearly unlike *Carey* which fails to disclose or suggest Applicant's claimed layer structure. To begin with, *Carey* fails to disclose or suggest a primary-coat layer formed directly on a surface of a substrate. Therefore, *Carey* also fails to disclose or suggest an anti-

ferromagnetic layer formed directly on a surface of the primary-coat layer that is opposite the substrate. Further, *Carey* fails to disclose or suggest a multilayer pinned layer formed directly on a surface of an anti-ferromagnetic layer that is opposite a primary-coat layer. Also, *Carey* fails to disclose or suggest a nonmagnetic metal layer formed directly on a surface of a multilayer pinned layer that is opposite an anti-ferromagnetic layer. Further, *Carey* fails to disclose or suggest a magnetism-sensing section the electric resistance of which changes in accordance with an external magnetic field formed directly on a surface of a nonmagnetic metal layer that is opposite a multilayer pinned layer. Further, *Carey* fails to disclose or suggest the following claimed layers that are stacked on the above-described layers: a low-resistance metal layer formed directly on a surface of the magnetism-sensing section that is opposite the nonmagnetic metal layer, an oxide layer provided on that surface of the low-resistance metal layer which faces away from the magnetism-sensing section, and a non-magnetic protective layer provided on that surface of the oxide layer which faces away from the low-resistance metal layer.

Therefore, *Carey* fails to disclose or suggest claims 1 and 10.

Claims 2, 3, 8, 11, 12, and 17 depend directly or indirectly from claim 1 or 10 and are therefore allowable for at least the same reasons that claims 1 and 10 are allowable.

Applicant respectfully submits the rejection has been overcome and requests that it be withdrawn.

B.) Rejection of claims 4-7 and 13-16 under 35 U.S.C. §103(a) as allegedly being unpatentable over *Carey, et al.*:

Applicant respectfully disagrees with the rejection.

Applicant respectfully notes the Examiner mistakenly rejected claims 6 and 15, which have been canceled.

Independent claims 1 and 10 are allowable over *Carey* as discussed above. Claims 4 and 13 depend directly or indirectly from claim 1 or 10 and are therefore allowable for at least the same reasons that claims 1 and 10 are allowable.

Claims 5, 7, 14, and 16 have been canceled.

Applicant respectfully submits the rejection has been overcome and requests that it be withdrawn.

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CONCLUSION

In view of the foregoing, Applicant submits that the application is in condition for allowance. Notice to that effect is requested.

Respectfully submitted,

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